

1 MICHAEL S. DICKE (admitted *pro hac vice*)
mdicke@fenwick.com
 2 JENNIFER C. BRETAN (admitted *pro hac vice*)
jbretan@fenwick.com
 3 KATHERINE A. MARSHALL (admitted *pro hac vice*)
kmarshall@fenwick.com
 4 ALISON C. JORDAN (admitted *pro hac vice*)
ajordan@fenwick.com
 5 SAMUEL SAHAGIAN (admitted *pro hac vice*)
ssahagian@fenwick.com
 6 FENWICK & WEST LLP
 555 California Street, 12th Floor
 7 San Francisco, CA 94104
 Tel: 415.875.2300

8 JOHN D. TENNERT III (Nevada Bar No. 11728)
 9 jtennert@fennemorelaw.com
 FENNEMORE CRAIG, P.C.
 10 7800 Rancharrah Parkway
 Reno, NV 89511
 11 Tel: 775.788.2212

12 *Attorneys for Defendant Yuga Labs, Inc.*

13
 14 UNITED STATES DISTRICT COURT
 15 DISTRICT OF NEVADA

16 ROBERT ARMIJO,
 17 Plaintiff,
 18 v.
 19 OZONE NETWORKS, INC. d/b/a OPENSEA, a
 New York Corporation; YUGA LABS, INC.
 20 f/k/a YUGA LABS, LLC d/b/a BORED APE
 YACHT CLUB, a Delaware corporation;
 21 LOOKSRARE; and DOES 1 to 50,
 22 Defendants.

Case No.: 3:22-cv-00112-MMD-CLB

**STIPULATION AND [PROPOSED]
 ORDER TO EXCEED PAGE LIMITS
 FOR YUGA LABS' RESPONSE TO
 PLAINTIFF'S FIRST AMENDED
 COMPLAINT AND ASSOCIATED
 BRIEFING**

[FIRST REQUEST]

1 Plaintiff Robert Armijo (“Plaintiff”) and Defendant Yuga Labs, Inc. (“Yuga Labs”), by
 2 and through their respective counsel and subject to the approval of the Court, stipulate as
 3 follows:

4 WHEREAS, on February 28, 2022, Plaintiff filed a Complaint in this action (ECF No. 1),
 5 image later corrected on March 1, 2022 (ECF No. 6);

6 WHEREAS, Yuga Labs moved to dismiss the Complaint on June 3, 2022 (ECF Nos. 52-
 7 55), challenging jurisdiction under Rule 12(b)(2) and for failure to state a claim under Rule
 8 12(b)(6);

9 WHEREAS, on June 24, 2022, Plaintiff filed a First Amended Complaint (ECF No. 62);

10 WHEREAS, in light of additional claims against Yuga Labs in the First Amended
 11 Complaint, and to accommodate an omnibus motion addressing both jurisdiction and any
 12 substantive claims, rather than separate motions under Rules 12(b)(2) and 12(b)(6), Yuga Labs
 13 believes good cause exists to modify and slightly increase the page limits for Yuga Labs to
 14 respond to the First Amended Complaint, and any associated responses, as follows: motion to
 15 dismiss and supporting memorandum (30 pages); opposition (30 pages); and reply (20 pages);

16 WHEREAS, Plaintiff does not oppose such request to exceed page limits;

17 WHEREAS, this is the first request to extend page limits and such extension will not
 18 delay proceedings, as it does not alter any deadlines set by this Court’s June 6, 2022 Order
 19 setting the schedule for responding to the First Amended Complaint (ECF No. 61);

20 WHEREAS, this stipulation is entered in good faith and not filed for improper purposes;

21 NOW THEREFORE, IT IS HEREBY STIPULATED AND AGREED, subject to the
 22 approval of the Court, that the page limits applicable to Yuga Labs’ anticipated motion to
 23 dismiss the First Amended Complaint and associated briefing thereon, shall be reset as follows:

- 24 • Yuga Labs’ motion to dismiss and supporting memoranda (30 pages); Plaintiff’s
- 25 opposition to Yuga Labs’ motion (30 pages); and Yuga Labs’ reply (20 pages);
- 26 • Such limits shall be exclusive of title pages, table of contents, table of authorities,
- 27 exhibits, and affidavits.

28 **IT IS SO STIPULATED.**

Dated this 11th day of July 2022

ARMSTRONG TEASDALE LLP

By: /s/ Michelle D. Alarie
Michelle D. Alarie

Nevada Bar No. 11894
3770 Howard Hughes Parkway,
Suite 200
Las Vegas, Nevada 89169

Romaine C. Marshall (admitted *pro hac vice*)
Jose Abarca (admitted *pro hac vice*)
Emily Nuwan (admitted *pro hac vice*)
ARMSTRONG TEASDALE LLP
201 South Main Street, Suite 750
Salt Lake City, Utah 84111

Attorneys for Plaintiff Robert Armijo

DATED this 11th day of July, 2022.

MUNGER, TOLLES & OLSON, LLP

By: /s/ Jonathan H. Blavin
Jonathan H. Blavin
(admitted *pro hac vice*)

560 Mission Street, 27th Floor
San Francisco, CA 94105

John P. Desmond (Nevada Bar No. 5618)
Justin J. Bustos (Nevada Bar No. 10320)
DICKINSON WRIGHT PLLC
100 W. Liberty St., Suite 940
Reno, NV 89501

*Attorneys for Defendant Ozone Networks, Inc.
d/b/a OpenSea*

Dated this 11th day of July 2022

FENWICK & WEST LLP

By: /s/ Jennifer C. Bretan
Jennifer C. Bretan
(admitted *pro hac vice*)

Michael S. Dicke (admitted *pro hac vice*)
Katherine A. Marshall (admitted *pro hac vice*)
Alison C. Jordan (admitted *pro hac vice*)
Samuel Sahagian (admitted *pro hac vice*)
FENWICK & WEST LLP
555 California Street, 12th Floor
San Francisco, CA 94104
Telephone: 415.875.2300
Facsimile: 415.281.1350
Email: mdicke@fenwick.com
Email: jbretan@fenwick.com
Email: kmarshall@fenwick.com
Email: ajordan@fenwick.com
Email: ssahagian@fenwick.com

John D. Tennert III (Nevada Bar No. 11728)
FENNEMORE CRAIG, P.C.
7800 Rancharra Parkway
Reno, NV 89511
Telephone: 775.788.2200
Facsimile: 775.786.1177
Email: jtennert@fclaw.com

Attorneys for Defendant Yuga Labs, Inc.

IT IS SO ORDERED.

Honorable Miranda M. Du
United States District Judge

DATED: _____

CERTIFICATE OF SERVICE

Pursuant to F.R.C.P. 5(b) and Electronic Filing Procedure IV(B), I certify that on July 11, 2022,
a true and correct copy of:

**STIPULATION AND [PROPOSED] ORDER TO EXCEED PAGE LIMITS
FOR YUGA LABS' RESPONSE TO PLAINTIFF'S FIRST AMENDED
COMPLAINT AND ASSOCIATED BRIEFING**

was transmitted electronically through the Court's CM/ECF e-filing electronic notice system to
all attorneys associated with the above-captioned case.

/s/ Jennifer C. Bretan

Jennifer C. Bretan

Fenwick & West LLP

FENWICK & WEST LLP